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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/248,616	02/11/1999	MATTHEW J. DEANGELIS	EO339/7003MB	9000

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EXAMINER

CAO, DIEM K

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 11/28/2003

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/248,616

Applicant(s)

DEANGELIS, MATTHEW J.

Examiner

Diem K Cao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office action is in response to the Request for Continued Examination.
2. Claims 1-21 remain in the application.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/11/2003 has been entered.

Drawings

The drawings filed on 9/11/2003 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required in reply to the Office Action. The correction will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-2, 7-10, 14-15, and 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by DiAngelo et al. (U.S. 6,101,482).

As to claim 1, DiAngelo teaches a client-side plug-in component (plug-in 50; col. 5, lines 15-27), a server-side plug-in component (software programs commonly referred to as “plug-ins”; col. 5, lines 3-14), associating the client-side plug-in component with the server-side plug-in component (the browser resident on the client machine ... may be connected; col. 5, lines 3-14), and operating the server-side plug-in component in response to the client-side plug-in component (inherent from “to provide additional client-side functionality”; col. 5, lines 3-14).

As to claim 2, DiAngelo teaches communicating between the server-side plug-in component and the client-side plug-in component by persisting properties (persistent client-side cookies; col. 5, lines 37-49).

As to claim 7, DiAngelo teaches a client machine (client machine 10; col. 3, line 67 – col. 4, line 2), a server machine (Web server 12; col. 4, lines 1-6), executing the client-side plug-in component on the client machine (plug-in 50 provides a universal shopping cart functionality; col. 5, lines 15-18), executing the server-side plug-in component on the server machine (the Web server 12 also includes an API ... plug-ins; col. 5, lines 3-14).

As to computer product claim 8, it corresponds to the method claim of claim 1.

As to claim 9, DiAngelo teaches a client-side plug-in component (plug-in 50; col. 5, lines 15-27), a server-side plug-in component (software programs commonly referred to as “plug-ins”; col. 5, lines 3-14), communicating between the client-side plug-in component and the server-side plug-in component using persisted properties (the browser resident on the client machine ... to provide additional client-side functionality; col. 5, lines 3-14 and persistent client-side cookies; col. 5, lines 37-49).

As to claim 14, DiAngelo teaches a client-side plug-in component (plug-in 50; col. 5, lines 15-27), a server-side plug-in component (software programs commonly referred to as “plug-ins”; col. 5, lines 3-14), configuring the client-side plug-in component into the application (All of these components interact with ... present invention; col. 5, lines 14-27), configuring the server-side plug-in component into the application (The Web server 12 ... plug-ins; col. 5, lines 3-14), and communicating between the client-side plug-in component and the server-side plug-in component (the browser resident on the client machine ... to provide additional client-side functionality; col. 5, lines 3-14).

As to claim 18, DiAngelo teaches a client-side plug-in component (plug-in 50; col. 5, lines 15-27), the client-side plug-in component being adapted to communicate with a server-side plug-in component (software programs commonly referred to as “plug-ins”; col. 5, lines 3-14) using persisted properties (the browser resident on the client machine ... to provide additional client-side functionality; col. 5, lines 3-14 and persistent client-side cookies; col. 5, lines 37-49).

As to claim 19, DiAngelo teaches a server-side plug-in component (software programs commonly referred to as “plug-ins”; col. 5, lines 3-14), the server-side plug-in component being adapted to operate in response to data provided by a client-side plug-in component (inherent from “the browser resident on the client machine ... to provide additional client-side functionality”; col. 5, lines 3-14).

As to claims 10 and 15, refer to claim 7 above for rejection.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3-6, 11-13, 16-17, and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiAngelo et al. (U.S. 6,101,482) in view of Jacobi et al. (U.S. 6,317,722 B1).

As to claim 3, DiAngelo does not teach building a campaign object for a marketing campaign, and including in the campaign object references to the client-side plug-in component. Jacobi teaches building a campaign object for a marketing campaign (recommendation service components 44; col. 8, lines 20-25 and the service is preferably used ... of titles; col. 5, lines 57-63), and including in the campaign object references to the client-side application (using current and/or recent ... the shopping cart contents; col. 6, lines 52-60). It would have been obvious to apply the teaching of Jacobi to the system of DiAngelo because it provides a method to recommend products to a user bases on the current shopping cart contents of the user.

As to claim 4, DiAngelo does not teach building a campaign object for a marketing campaign, and including in the campaign object references to the server-side plug-in component. Jacobi teaches building a campaign object for a marketing campaign (recommendation service components 44; col. 8, lines 20-25 and the service is preferably used ... of titles; col. 5, lines 57-63), and including in the campaign object references to the server-side application (the external components 40 ... Web pages transmitted to users; col. 8, lines 20-25). It would have been obvious to apply the teaching of Jacobi to the system of DiAngelo because it provides a method to recommend products to a user bases on the current shopping cart contents of the user.

As to claim 5, DiAngelo does not teach associating the server-side plug-in component with an operation of the marketing campaign system, and configuring the server-side plug-in

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component into the campaign object using an interface associated with the operation. Jacobi teaches associating the server-side application with an operation of the marketing campaign system (The external component 40 ... transmitted to users; col. 8, lines 7-25 and The Instant Recommendations service ... the recommendations; col. 14, lines 36-55), and configuring the server-side application to incorporate the campaign object (the external components 40 ... Web pages transmitted to users; col. 8, lines 20-25). It would have been obvious to apply the teaching of Jacobi to the system of DiAngelo because it provides a method to recommend products to a user bases on the current shopping cart contents of the user.

As to claim 6, DiAngelo does not teach identifying whether the server-side plug-in component performs a function selected from the group consisting of preprocessing, post processing and override processing. However, DiAngelo teaches the application be able to any extended or customized (The Web server 12 ... plug-ins; col. 5, lines 3-14), thus any function in the system could be the newly added or overwritten one. It would have been obvious, in order to use newly added or overwritten functions, those functions need to be identified, otherwise, old functions will be carry out instead.

As to claim 11, refer to claim 6 above for rejection.

As to claim 12, refer to claim 4 above for rejection.

As to claims 13, 16, and 17, refer to claim 5 above for rejection.

As to claim 20, it is the same as the method of claim 5 with regards to the teaching of associating the server-side plug-in component with an operation of the marketing campaign system except this is a computer product claim.

As to claim 21, refer to claim 6 above for rejection.

Response to Arguments

8. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diem K Cao whose telephone number is (703) 305-5220. The examiner can normally be reached on Monday - Thursday, 9:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Diem Cao


**JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
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